

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72679 of 2022

Arising Out of PS. Case No.-11 Year-2018 Thana- KHUDAGANJ District- Nalanda

Rajesh Mistri @ Rajesh Kumar Son Of Rambali Mistri Resident Of Village-
Khudaganj, P.S.- Khudaganj, District- Nalanda At Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2023 Heard Mr. Ravi Shanker Pankaj, learned counsel
appearing on behalf of the petitioner and Mr. Raj Kishor Singh,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Khudaganj P.S. Case No. 11 of 2018 registered under Sections 341, 427, 504 and 506 of the Indian Penal Code and Section 3 of Prohibition of Damage to Public Property Act, 1984.

3. The prosecution story, in brief, is that the construction of sewage canal was in progress in front of door of the petitioner but the sewage was destructed which led to the filing of the present F.I.R.

4. Learned counsel appearing on behalf of the petitioner submits that work was inferior, therefore, the drainage and sewerage got itself damaged and petitioner is not



responsible for the same. Learned counsel further submitted that petitioner has dragged in the present case due to dirty village politics.

5. Learned APP has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation and the fact that the petitioner has falsely been implicated in the present case, the petitioner has made out a case to be released on anticipatory bail.

7. The Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate, ACJM-I, Hilsa, Nalanda, Bihar Sharif in connection with Khudaganj P.S. Case No. 11 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C

8. The present bail application is disposed of.

(Purnendu Singh, J)

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